

**MARICOPA COUNTY
AIR POLLUTION CONTROL REGULATIONS
REGULATION III – CONTROL OF AIR CONTAMINANTS**

**RULE 360
NEW SOURCE PERFORMANCE STANDARDS**

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Revised 07/13/1988; Revised 04/06/1992; Revised 11/20/1996; Revised 05/14/1997; Revised 08/19/1998; Revised 04/07/1999; Revised 03/01/2000; Revised 03/07/2001; Revised 11/19/2003; Revised 03/15/2006; Revised 12/17/2008; Revised 09/16/2009; Revised 07/07/2010; Revised 08/17/2011; Revised 07/25/2012; Revised 03/26/2014; Revised 11/05/2014; Revised 11/18/2015; Revised 11/02/2016; Revised 12/13/2017; Revised 11/07/2018; and **Revised 10/23/2019**.

**MARICOPA COUNTY
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**RULE 360
NEW SOURCE PERFORMANCE STANDARDS**

SECTION 100 – GENERAL

- 101 PURPOSE:** To establish acceptable design and performance criteria for specified new or modified emission sources.
- 102 APPLICABILITY:** The provisions of this rule apply to the owner or operator of any stationary source which contains an affected facility on which the construction, reconstruction, or a modification is commenced after the date of publication of any standard applicable to such facility in 40 CFR Part 60 and for which federal delegation of the implementation and enforcement of the standards to the Maricopa County Air Quality Department (MCAQD) has been accomplished. Any such stationary source must also comply with other Maricopa County Air Pollution Control Regulations.
- 103 AVAILABILITY OF INFORMATION:** Copies of all 40 CFR, Part 60 revisions currently enforced by the MCAQD are available as listed:
- a. Maricopa County Air Quality Department.
 - b. Maricopa County Rules are available electronically at <https://www.maricopa.gov/1951/Adopted-Rules>
 - c. EPA documents are available electronically at https://www.ecfr.gov/cgi-bin/text-idx?SID=3e92ce0bdd77277b5f6e386319a9b84e&mc=true&tpl=/ecfrbrowse/Title40/40tab_02.tpl
 - d. ASTM standards are available from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428, or from its website at www.astm.org
- 104 FEDERAL DELEGATION AUTHORITY:** The MCAQD shall enforce the federal new source performance standards (NSPS) (40 CFR Part 60) listed in Section 300 of this rule which have been delegated to the County by the United States Environmental Protection Agency (EPA) for such enforcement. The MCAQD may, in addition, enforce such other NSPS as delegated for such enforcement by the EPA to the MCAQD.

SECTION 200 – DEFINITIONS: For the purpose of this rule, the following definitions shall apply, in addition to those definitions found in Rule 100 (General Provisions and Definitions) of these rules. In the event of any inconsistency between any of the Maricopa County air pollution control rules, the definitions in this rule take precedence.

- 201 ADMINISTRATOR:** As used in Part 60, Title 40, Code of Federal Regulations, shall mean the Control Officer, except that the Control Officer shall not be empowered to approve alternate or equivalent test methods or alternative standards/work practices, or other nondelegable authorities such as those listed in 40 CFR 60.4(d), except as specifically provided in each subpart.
- 202 AFFECTED FACILITY:** With reference to a stationary source, any apparatus to which a standard is applicable.
- 203 COMMENCED:** With respect to the definition of "new source" in Section 111(a)(2) of the Act, that an owner or operator has undertaken a continuous program of construction, reconstruction, or modification or that an owner or operator has entered into a contracted obligation to undertake and complete, within a reasonable time, a continuous program of construction, reconstruction or modification.
- 204 CONSTRUCTION:** The fabrication, erection, or installation of an affected facility.
- 205 MODIFICATION:** Any physical change in, or change in the method of operation of, an existing facility which increases the amount of any contaminant (to which a standard applies) emitted into the atmosphere by that facility or which results in the emission of any air contaminant (to which a standard applies) into the atmosphere not previously emitted.
- 206 OWNER OR OPERATOR:** Any person who owns, leases, operates, controls, or supervises an affected facility or a stationary source of which an affected facility is a part.
- 207 STANDARD:** A standard of performance promulgated under this rule.
- 208 STATIONARY SOURCE:** Any building, structure, facility, or installation which emits or may emit any air pollutant.

SECTION 300 – STANDARDS

- 301 ADOPTED FEDERAL STANDARDS:** The following federal regulations located in the U.S. Code of Federal Regulations, Part 60 of Title 40, Subchapter C (CFR) as codified on July 1, 2019, are herein incorporated by reference in Maricopa County's Air Pollution Control Regulations. This incorporation by reference includes no future editions or amendments. Each owner or operator subject to the requirements of the following subparts shall comply with the requirements of those subparts and the additional requirements set forth herein. Incorporation by reference does not include nondelegable functions of the EPA Administrator.
- 301.1 Subpart A—**General Provisions; exclude any sections dealing with equivalency determinations or innovative technology waivers, as covered in Sections 111(h)(3) and 111(j) respectively of the Clean Air Act.
- 301.2 Subpart D—**Standards of Performance for Fossil-Fuel-Fired Steam Generators for which Construction is Commenced after August 17, 1971.
- 301.3 Subpart Da—**Standards of Performance for Electric Utility Steam Generating Units for which Construction is Commenced after September 18, 1978.

- 301.4 Subpart Db**—Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units.
- 301.5 Subpart Dc**—Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units.
- 301.6 Subpart E**—Standards of Performance for Incinerators.
- 301.7 Subpart Ea**—Standards of Performance for Municipal Waste Combustors for which Construction is Commenced after December 20, 1989 and on or before September 20, 1994.
- 301.8 Subpart Eb**—Standards of Performance for Large Municipal Waste Combustors for which Construction is Commenced after September 20, 1994 or for which Modification or Reconstruction is Commenced after June 19, 1996.
- 301.9 Subpart Ec**—Standards of Performance for Hospital/Medical/Infectious Waste Incinerators for which Construction is Commenced after June 20, 1996.
- 301.10 Subpart F**—(Reserved per A.R.S. § 49-402)
- 301.11 Subpart G**—Standards of Performance for Nitric Acid Plants.
- 301.12 Subpart Ga**—Standards of Performance for Nitric Acid Plants for Which Construction, Reconstruction, or Modification Commenced After October 14, 2011.
- 301.13 Subpart H**—Standards of Performance for Sulfuric Acid Plants.
- 301.14 Subpart I**—Standards of Performance for Hot Mix Asphalt Facilities.
- 301.15 Subpart J**—(Reserved per A.R.S. § 49-402)
- 301.16 Subpart Ja**—(Reserved per A.R.S. § 49-402)
- 301.17 Subpart K**—Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after June 11, 1973, and prior to May 19, 1978.
- 301.18 Subpart Ka**—Standards of Performance for Storage Vessels for Petroleum Liquids for which Construction, Reconstruction, or Modification Commenced after May 18, 1978, and prior to July 23, 1984.
- 301.19 Subpart Kb**—Standards of Performance for Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for which Construction, Reconstruction, or Modification Commenced after July 23, 1984.
- 301.20 Subpart L**—(Reserved per A.R.S. § 49-402)
- 301.21 Subpart M**—Standards of Performance for Secondary Brass and Bronze Production Plants.
- 301.22 Subpart N**—Standards of Performance for Primary Emissions from Basic Oxygen Process Furnaces for which Construction Commenced after June 11, 1973.
- 301.23 Subpart Na**—Standards of Performance for Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for which Construction Commenced after January 20, 1983.
- 301.24 Subpart O**—Standards of Performance for Sewage Treatment Plants.

- 301.25 **Subpart P**—(Reserved per A.R.S. § 49-402)
- 301.26 **Subpart Q**—(Reserved per A.R.S. § 49-402)
- 301.27 **Subpart R**—(Reserved per A.R.S. § 49-402)
- 301.28 **Subpart S**—Standards of Performance for Primary Aluminum Reduction Plants.
- 301.29 **Subpart T**—Standards of Performance for the Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants.
- 301.30 **Subpart U**—Standards of Performance for the Phosphate Fertilizer Industry: Superphosphoric Acid Plants.
- 301.31 **Subpart V**—Standards of Performance for the Phosphate Fertilizer Industry: Diammonium Phosphate Plants.
- 301.32 **Subpart W**—Standards of Performance for the Phosphate Fertilizer Industry: Triple Superphosphate Plants.
- 301.33 **Subpart X**—Standards of Performance for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.
- 301.34 **Subpart Y**—Standards of Performance for Coal Preparation and Processing Plants.
- 301.35 **Subpart Z**—Standards of Performance for Ferroalloy Production Facilities.
- 301.36 **Subpart AA**—Standards of Performance for Steel Plants: Electric Arc Furnaces Constructed after October 21, 1974, and on or before August 17, 1983.
- 301.37 **Subpart AAa**—Standards of Performance for Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed after August 17, 1983.
- 301.38 **Subpart BB**—Standards of Performance for Kraft Pulp Mills.
- 301.39 **Subpart BBa**—Standards of Performance for Kraft Pulp Mill Affected Sources for Which Construction, Reconstruction, or Modification Commenced After May 23, 2013.
- 301.40 **Subpart CC**—Standards of Performance for Glass Manufacturing Plants.
- 301.41 **Subpart DD**—Standards of Performance for Grain Elevators.
- 301.42 **Subpart EE**—Standards of Performance for Surface Coating of Metal Furniture.
- 301.43 **Subpart FF**—(Reserved)
- 301.44 **Subpart GG**—Standards of Performance for Stationary Gas Turbines.
- 301.45 **Subpart HH**—Standards of Performance for Lime Manufacturing Plants.
- 301.46 **Subpart II**—(Reserved)
- 301.47 **Subpart JJ**—(Reserved)
- 301.48 **Subpart KK**—Standards of Performance for Lead-Acid Battery Manufacturing Plants.
- 301.49 **Subpart LL**—Standards of Performance for Metallic Mineral Processing Plants.

- 301.50 Subpart MM**—Standards of Performance for Automobile and Light Duty Truck Surface Coating Operations.
- 301.51 Subpart NN**—Standards of Performance for Phosphate Rock Plants.
- 301.52 Subpart OO**—(Reserved)
- 301.53 Subpart PP**—Standards of Performance for Ammonium Sulfate Manufacture.
- 301.54 Subpart QQ**—Standards of Performance for the Graphic Arts Industry: Publication Rotogravure Printing.
- 301.55 Subpart RR**—Standards of Performance for Pressure Sensitive Tape and Label Surface Coating Operations.
- 301.56 Subpart SS**—Standards of Performance for Industrial Surface Coating: Large Appliances.
- 301.57 Subpart TT**—Standards of Performance for Metal Coil Surface Coating.
- 301.58 Subpart UU**—Standards of Performance for Asphalt Processing and Asphalt Roofing Manufacture.
- 301.59 Subpart VV**—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced after January 5, 1981, and on or before November 7, 2006.
- 301.60 Subpart VVa**—Standards of Performance for Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry for which Construction, Reconstruction, or Modification Commenced after November 7, 2006.
- 301.61 Subpart WW**—Standards of Performance for the Beverage Can Surface Coating Industry.
- 301.62 Subpart XX**—Standards of Performance for Bulk Gasoline Terminals.
- 301.63 Subpart YY**—(Reserved)
- 301.64 Subpart ZZ**—(Reserved)
- 301.65 Subpart AAA**—Standards of Performance for New Residential Wood Heaters.
- 301.66 Subpart BBB**—Standards of Performance for the Rubber Tire Manufacturing Industry.
- 301.67 Subpart CCC**—(Reserved)
- 301.68 Subpart DDD**—Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.
- 301.69 Subpart EEE**—(Reserved)
- 301.70 Subpart FFF**—Standards of Performance for Flexible Vinyl and Urethane Coating and Printing.
- 301.71 Subpart GGG**—(Reserved per A.R.S. § 49-402)
- 301.72 Subpart GGGa**—(Reserved per A.R.S. § 49-402)

- 301.73 Subpart HHH**—Standards of Performance for Synthetic Fiber Production Facilities.
- 301.74 Subpart III**—Standards of Performance for Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.
- 301.75 Subpart JJJ**—Standards of Performance for Petroleum Dry Cleaners.
- 301.76 Subpart KKK**—Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.
- 301.77 Subpart LLL**—Standards of Performance for Onshore Natural Gas Processing: SO₂ Emissions.
- 301.78 Subpart MMM**—(Reserved)
- 301.79 Subpart NNN**—Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations.
- 301.80 Subpart OOO**—Standards of Performance for Nonmetallic Mineral Processing Plants.
- 301.81 Subpart PPP**—Standard of Performance for Wool Fiberglass Insulation Manufacturing Plants.
- 301.82 Subpart QQQ**—(Reserved per A.R.S. § 49-402)
- 301.83 Subpart RRR**—Standards of Performance for Volatile Organic Compound (VOC) Emissions from Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes.
- 301.84 Subpart SSS**—Standards of Performance for Magnetic Tape Coating Facilities.
- 301.85 Subpart TTT**—Standards of Performance for Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.
- 301.86 Subpart UUU**—Standards of Performance for Calciners and Dryers in Mineral Industries.
- 301.87 Subpart VVV**—Standards of Performance for Polymeric Coating of Supporting Substrates Facilities.
- 301.88 Subpart WWW**—Standards of Performance for Municipal Solid Waste Landfills.
- 301.89 Subpart XXX**—Standards of Performance for Municipal Solid Waste Landfills that Commenced Construction, Reconstruction, or Modification After July 17, 2014.
- 301.90 Subpart YYY**—(Reserved)
- 301.91 Subpart ZZZ**—(Reserved)
- 301.92 Subpart AAAA**—Standards of Performance for Small Municipal Waste Combustion Units for which Construction is Commenced after August 30, 1999 or for which Modification or Reconstruction is Commenced after June 6, 2001.
- 301.93 Subpart CCCC**—Standards of Performance for Commercial and Industrial Solid Waste Incineration Units for which Construction is Commenced after November 30,

1999 or for which Modification or Reconstruction is Commenced on or after June 1, 2001.

301.94 Subpart EEEE—Standards of Performance for Other Solid Waste Incineration Units for which Construction is Commenced after December 9, 2004, or for which Modification or Reconstruction is Commenced on or after June 16, 2006.

301.95 Subpart GGGG—(Reserved)

301.96 Subpart HHHH—(Reserved)

301.97 Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines.

301.98 Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines.

301.99 Subpart KKKK—Standards of Performance for Stationary Combustion Turbines.

301.100 Subpart LLLL—Standards of Performance for New Sewage Sludge Incineration Units.

301.101 Subpart NNNN—(Reserved)

301.102 Subpart OOOO—Standards for Crude Oil and Natural Gas Production, Transmission and Distribution.

301.103 Subpart OOOOa—Standards of Performance for Crude Oil and Natural Gas Facilities for Which Construction, Modification or Reconstruction Commenced After September 18, 2015.

301.104 Subpart PPPP—(Reserved)

301.105 Subpart QQQQ—Standards of Performance for New Residential Hydronic Heaters and Forced-Air Furnaces.

301.106 Subpart RRRR—(Reserved)

301.107 Subpart SSSS—(Reserved)

301.108 Subpart TTTT—Standards of Performance for Greenhouse Gas Emissions for Electric Generating Units.

302 ADDITIONAL REQUIREMENTS: From the general standards identified in Section 301 of this rule, delete 40 CFR 60.4, §60.5, and §60.6. All requests, reports, applications, submittals, and other communications to the Control Officer pursuant to this rule shall be submitted to the Maricopa County Air Quality Department.

SECTION 400 – ADMINISTRATIVE REQUIREMENTS (NOT APPLICABLE)

SECTION 500 – MONITORING AND RECORDS (NOT APPLICABLE)